

IDAHO BOARD OF MASSAGE THERAPY
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 1/27/2020

BOARD MEMBERS PRESENT: Justin Kobbe Solace
Mary Jo White, D.C.
Riki Nagle-Ker

BOARD MEMBERS ABSENT: Carla A Steen - Chair

BUREAU STAFF: Kelley Packer, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Julie Eavenson, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Nicholas Krema, General Counsel
Rob McQuade, Legal Counsel
Eric Nelson, Board Prosecutor
Candace Villarreal, Board Specialist

OTHERS PRESENT: Dr. Sharon Fritz, Department of Health and Welfare

The meeting was called to order at 9:00 AM MST by Mr. Kobbe Solace.

APPROVAL OF MINUTES

Ms. Nagle-Ker made a motion to approve the minutes of 11/18/2019. It was seconded by Dr. White. Motion carried.

COMPLAINT MEMORANDUM

Ms. Peel gave the investigative report, which is linked above.

Ms. Peel presented a proposed letter for the Board to send to licensees who report having received a misdemeanor DUI conviction. Ms. Nagle-Ker made a motion to send the DUI letter presented on behalf of the Massage Board, with modifications to remove the second paragraph, and change the wording "alcohol abuse disorder" to "substance abuse." It was seconded by Dr. White. Motion carried.

EXECUTIVE SESSION

Ms. Nagle-Ker made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a

license or registration. It was seconded by Dr. White. The vote was: Ms. Nagle-Ker, aye; Dr. White, aye; and Mr. Kobbe Solace, aye. Motion carried.

Dr. White made a motion to come out of executive session. It was seconded by Ms. Nagle-Ker. Motion carried.

DISCIPLINE

Dr. White made a motion to close case number I-MAS-2018-25 and to flag the file for notification of attempts to renew. It was seconded by Ms. Nagle-Ker. Motion carried.

Mr. Nelson presented a Stipulation and Consent Order in case number MAS-2019-3. Ms. Nagle-Ker made a motion to approve the Consent Order and allow the Board chair to sign on behalf of the Board. It was seconded by Dr. White. Motion carried.

Mr. Nelson presented a Findings of Fact, Conclusions of Law and Final Order in case number MAS-2020-6. Ms. Nagle-Ker made a motion to close the case and allow the Board chair to sign on behalf of the Board. It was seconded by Dr. White. Motion carried.

BUREAU BUSINESS

LAWS AND RULES

Ms. Packer updated the Board regarding proposed establishment licensure and stated that the proposed legislation is in review related to upcoming sunrise provisions by the interim committee. Senator Den Hartog, Senator Lakey and Representative DeMordaunt are conducting the review.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$393,868.64 as of 12/31/2019.

TO DO LIST:

Ms. Villarreal reviewed the To Do List and no action was taken.

SET NEXT MEETING DATE:

NEXT MEETING is scheduled for March 9, 2020 at 9:00 AM MDT.

ANOTHER MEETING is scheduled for May 4, 2020 at 9:00 AM MDT.

ANOTHER MEETING is scheduled for July 13, 2020 at 9:00 AM MDT.

NON-PUBLIC RECORDS ARE NOT AVAILABLE TO OUTSIDE ENTITIES

Ms. Peel reported regarding outside entities who request access to the Idaho Bureau of Occupational Licenses (IBOL) non-public records in the data base. Ms. Peel explained that requests to access non-public information would never be granted by the Board or Bureau in order to protect the public from security breaches. She also stated that the National Practitioners Data Bank was available for queries to outside entities for a fee and that access to public information is available on the IBOL website.

BOARD BUSINESS

SUICIDE PREVENTION PRESENTATION AND CONTINUING EDUCATION

Dr. Sharon Fritz, Idaho Department of Health and Welfare (IDHW), presented information on suicide prevention. Dr. Fritz held a discussion regarding continuing education courses offered through IDHW and asked if the Board would approve the four IDHW continuing education courses presented to be offered to Idaho licensed massage therapists. The Board reviewed the current continuing education requirements. Dr. White made a motion to approve the following as presented: "Applied Suicide Intervention Skills Training" (ASIST), a 2-day/15-hour workshop; "Suicide Alertness for Everyone" (safeTALK) a 4-hour face to face training course; "Mental Health First Aid" (MHFA) an 8- hour certification course; and "Question. Persuade. Refer." (QPR) a 1-hour workshop. The motion included the three courses offering more than two hours of continuing education as meeting one hour of the yearly ethics requirement. It was seconded by Ms. Nagle-Ker. Motion carried.

In lieu of addition of this record in the To Do List, the Board directed the Board specialist to add the courses to the Idaho Board of Massage Therapy website in the Board-approved continuing education list, giving all licensees access to the newly approved courses and allowing IDHW the opportunity to renew the courses with the course approval application every 5 years.

APPLICATION REVIEW PROCESS

The Board reviewed the current processes regarding reinstatement of expired licensure, continuing education (CEU) audit, temporary license, regular license and provisional permit applications. The purpose was to find ways to eliminate red tape and redundancy while maintaining the Board's charter of public protection. During discussion, the Board stated that there will be no change to the current Board review system regarding CEU audit, and that all applications showing criminal activity or licensure discipline, and those applications that do not meet the Boards' established substantial equivalency guidelines, must be reviewed by the Board.

Dr. White made a motion to grant limited authority to the Board specialist to issue regular licenses, temporary licenses, and provisional permits for complete applications containing no criminal or disciplinary activity, and to review CEU submissions for reinstatement of expired license. The motion included that any

submissions that do not appear to meet minimum CEU requirements may be sent to the Board chair or another Board member for a review. The Bureau will report the status of this limited authority test in each of the next three (3) upcoming Board meetings (March, May, and July 2020). The Board will review the success of this testing period in the September 2020 Board meeting to decide if this procedure can be made permanent.

It was seconded by Ms. Nagle-Ker. Motion carried.

CORRESPONDENCE

Federation of State Massage Therapy Boards [FSMTB] Regulatory Education and Competence Hub [REACH]

The Board reviewed correspondence from the Federation of State Massage Therapy Boards, (FSMTB) regarding the new online MBLEX check readiness assessment and other continuing education (CEU) courses now available for massage therapists on the FSMTB Regulatory Education and Competence Hub (REACH). The Board also reviewed the REACH online education center at reach@fsmtb.org including the current educational resources available at this time. The Board would like to review the new REACH site for approval as a recognized CEU provider in the next Board meeting. No action was taken.

CE COURSES

The following course approval applications were reviewed and signed for approval:

17934: MANUAL LYMPHATIC DRAINAGE
17951: DEEP TISSUE DIVE/ETHICS
17949: TAKING CHARGE OF YOUR CAREER
17955: INTRO TO INSURANCE BILLING FOR MASSAGE
THERAPISTS
17950: TRAUMA RECOVERY BODYWORK 1: TRAUMA INFORMED
BODYWORK BASICS/ETHICS

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Dr. White made a motion to come out of executive session. It was seconded by Ms. Nagle-Ker. Motion carried.

APPLICATIONS

Ms. Nagle-Ker made a motion to approve the following for licensure:

Ankerstrom, Haylee	MASA-4012
Arias, Jorge	MASA-4010
Armour, Marissa	MASA-3991
Bishop, Bryan	MASA-4020
Brinkley, Alexander	MASA-3990
Clifford, Patrick	MASA-4003
Cocozzo, Teah	MASA-4024
Davis, Stacey	MASA-3995
Gonzalez, Jessica	MASA-4007
Hayden, Jill	MASA-3994
Herlo, Amanda	MASA-4009
Holder, Whitney	MASA-3980
Howell, Cynthia	MASA-4018
Iliev, Dimitar	MASA-4017
Joyner, Cheryl	MASA-4016
Kraemer, Michelle	MASA-4026
Lee, Carissa	MASA-3992
Lewis, Brock	MASA-4013
Lusk, Alexis	MASA-4011
Nelson, Gracie	MASA-4002
Remer, Loren	MASA-4021
Robles, Yibis	MASA-3997
Seeley, Linsey	MASA-4019
Smith, Andrea	MASA-4023
Smith, Kenneth	MASA-4015
Stewart, Michael	MASA-4004
Stocks, Ericka	MASA-4008
Taylor, Janet	MASA-4006
West, Sterling	MASA-4014
Zhou, Mengling	MASA-4000

It was seconded by Dr. White. Motion carried.

Dr. White made a motion to approve the following pending receipt of additional information:

901-172-366
901-156-677
901-172-631
901-170-819
901-171-541
901-171-356

It was seconded by Ms. Nagle-Ker. Motion carried.

Dr. White made a motion to table the following pending receipt of additional information:

901-171-114

901-172-287

901-171-199

It was seconded by Ms. Nagle-Ker. Motion carried.

ADJOURNMENT

Dr. White made a motion to adjourn the meeting at 1:19 PM MST. It was seconded by Ms. Nagle-Ker. Motion carried.

Carla A Steen, Chair